IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

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WRIT PETITION NO : 17911 of 2005

Between:

1. Smt.K.Zaheerabi w/o.Late Omer Saheb
   R/o.H.No.16/426, Gudur By pass Road, M.N.Street,

Yemmigannur, Kurnool District.
2. Sri K.Jeelan S/o.Late Omer Saheb
   R/o.H.No.16/426, Gudur By pass Road, M.N.Street,

Yemmigannur, Kurnool District.

..... PETITIONERS

AND

1. The Government of Andhra Pradesh rep by the District

Collector, Kurnool, Kurnool District.
2. The Revenue Divisional Officer-Cum-Land Acquisition Officer

Adoni, Kurnool District.
3. The Vice Chairman and Housing Commissioner Gruhakalpa

Buildings, Opp.Gandhi Bhavan,
MJ Road, Housing Board, Hyderabad.
4. The Executive Engineer Andhra Pradesh Housing Board,

Kurnool.
5. The Divisional Engineer Andhra Pradesh Housing Board, Adoni

Kurnool District.

.....RESPONDENTS

ORDER:

This writ petition is filed seeking writ of Mandamus directing the respondents not to dispossess the petitioners from their land admeasuring Ac.4.72 cents in SurveyNo.115/D and 116/A in Yemmigannur village and Mandal, Kurnool District without following due process of law and notice.

The petitioners are alleged to be the absolute owners of the property mentioned in the writ petition. In the meanwhile the third respondent by way of paper notification dated 14.07.2005 invited applications from eligible persons for construction of housing board colony near Shadikhana of Yemmigannur village, Kurnoor District under the scheme of Self Finance. The lands of the petitioners were happened to be situated near to the said shadikhana. The third respondent without issuing any notice or taking any due procedure, trying to encroach in to the property of thepetitioner and also proposing to construct housing colonies. Hence, the petitioner is constrained to file this writ petition.

Heard learned counsel on either side.

Having regard to the facts and circumstances, as explained by the petitioner, the respondents cannot interfere with the property of the petitioners without following any due process of law. Therefore, I deem it appropriate to dispose of the writ petition at the stage of admission with a direction to the respondents not to dispossess the petitioners from their land admeasuring Ac.4.72 cents in S.No.115/D2 and 116/A in Yemmigannur village and Mandal, Kurnool District without following the due process of law.

Accordingly, the writ petition is disposed of. No costs.

12-08-2005

kvrm